

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x	21 Civ. 8087 (KPF)	
In re	:	21 Civ. 8090 (KPF)
	:	21 Civ. 8093 (KPF)
22 FISKE PLACE, LLC,	:	
	:	Case No. 15-11410 (SCC)
Debtor.	:	
	:	BANKRUPTCY APPEAL
	:	SCHEDULING ORDER
-----x		

KATHERINE POLK FAILLA, District Judge:

The above-captioned bankruptcy appeals have been assigned to me for all purposes. The appeals were docketed in the United States District Court for the Southern District of New York.

On September 29, 2021, Appellant filed a designation of the items to be included in the record on appeal and a statement of the issues to be presented. (No. 21 Civ. 8087, Dkt. #2; No. 21 Civ. 8090, Dkt. #3; No. 21 Civ. 8093, Dkt. #3). Rule 8009 of the Federal Rules of Bankruptcy Procedures provides that within 14 days after the service of the appellant's statement, the appellee may file and serve on the appellant a designation of additional items to be included in the record on appeal and, if the appellee has filed a cross-appeal, the appellee as cross appellant shall file and serve a statement of the issues to be presented on the cross appeal and designation of additional items to be included in the record. *See also* Local Civil Rule 8009-1 (filing requirements for designated items).

The filing of appeal briefs is not excused in this case. The briefing schedule and format and length specifications set forth in the applicable provisions

of Federal Rules of Bankruptcy Procedure 8015 through 8018 shall govern unless otherwise ordered by the Court. The time limits set forth in Rule 8018 are adopted as the Order of this Court, so that the appellant must serve and file a brief within 30 days after the docketing of notice that the record has been transmitted or is available electronically; the appellee must serve and file a brief within 30 days after service of the appellant's brief; and the appellant may serve and file a reply brief within 14 days after service of the appellee's brief, provided that the reply brief is filed at least 7 days before scheduled argument absent leave from the Court.

THE FAILURE TO COMPLY WITH THIS ORDER AND/OR THE TIME LIMITS IN RULES 8002, 8009, OR 8018 WILL RESULT IN DISMISSAL OF THE APPEAL (IN THE CASE OF THE APPELLANT) OR CONSIDERATION OF THE APPEAL WITHOUT AN APPELLEE'S BRIEF (IN THE CASE OF THE APPELLEE).

The parties are directed to review and comply with the Court's Individual Rules of Practice in Civil Cases (available at the Court's website, <https://nysd.uscourts.gov/hon-katherine-polk-failla>) to the extent they are not inconsistent with the Federal Rules of Bankruptcy Procedures. The premotion conference requirement under my Individual Practices is waived for any party moving to dismiss an appeal for failure to comply with Rules 8002, 8006, and/or 8009. *See In re Christine Charter Lynch*, 430 F.3d 600 (2d Cir. 2005) (per curiam).

SO ORDERED.

Dated: October 1, 2021
 New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge